

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JODI S. ST. LOUIS,

Plaintiff,

v.

NANCY A. BERRYHILL, Acting
Commissioner of the Social Security
Administration,¹

Defendant.

CASE NO. 3:16-cv-05128-DWC

ORDER GRANTING MOTION FOR
ATTORNEY'S FEES AND EXPENSES
PURSUANT TO 28 U.S.C. § 2412

This Court has jurisdiction pursuant to 28 U.S.C. § 636(c), Fed. R. Civ. P. 73 and Local Magistrate Judge Rule MJR 13. *See also* Notice of Initial Assignment to a U.S. Magistrate Judge and Consent Form, Dkt. 5; Consent to Proceed Before a United States Magistrate Judge, Dkt. 6. This matter is before the Court on Plaintiff's "Motion for Attorney Fees and Expenses Pursuant to 28 U.S.C. §2412." Dkt. 22. Defendant does not oppose Plaintiff's motion. Dkt. 23.

¹ Nancy A. Berryhill is now the Acting Commissioner of the Social Security Administration. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Nancy A. Berryhill should be substituted for Acting Commissioner Carolyn W. Colvin as Defendant in this suit.

1 Based on the Equal Access to Justice Act, 28 U.S.C. § 2412, (“EAJA”), the Plaintiff’s
2 motion (Dkt. 22), the declaration of attorney and attorney time itemization (Dkts. 22-2, 22-3),
3 and the relevant record, the Court orders EAJA attorney’s fees of \$7,091.62 and expenses of
4 \$6.85 (“EAJA Award”), be awarded to Plaintiff. *Astrue v. Ratliff*, 560 U.S. 586, 591–97 (2010).

5 The Acting Commissioner shall contact the Department of Treasury after this Order is
6 entered to determine if the EAJA Award is subject to any offset. If the U.S. Department of the
7 Treasury verifies to the Office of General Counsel that Plaintiff does not owe a debt, the
8 government will honor Plaintiff’s assignment of EAJA Award and pay the EAJA Award directly
9 to Eitan Kassel Yanich, Plaintiff’s counsel, either by direct deposit or by check payable to him. If
10 there is an offset, any remainder shall be made payable to Plaintiff, based on the Department of
11 the Treasury’s Offset Program and standard practices, and the check shall be mailed to Plaintiff’s
12 counsel, Eitan Kassel Yanich, at Law Office of Eitan Kassel Yanich, PLLC, 203 Fourth Avenue
13 E., Suite 321, Olympia, WA 98501.

14 Dated this 28th day of March, 2017.

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17 David W. Christel
18 United States Magistrate Judge
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